

Rev 09/03

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Tim Wilhelm Nattkemper et al.
Application No. : 09/869,638
Filed : February 8, 2002
Confirmation No. : 5891
For : METHOD FOR THE AUTOMATIC ANALYSIS OF
MICROSCOPE IMAGES
Examiner : Christopher L. Lavin
Attorney's Docket : HSS-021XX

TC Art Unit: 2621

I hereby certify that this correspondence is being sent via
facsimile to RECEIPTS ACCOUNT DIVISION, Fax No. (571) 273-6500 on
5-16-06.

By: 

Charles L. Gagnebin III
Registration No. 25,467

REQUEST FOR REFUND

VIA FACSIMILE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Our Deposit Account No. 23-0804 was charged \$1,020.00 on
April 27, 2006 under Code 1253 (Extension of Time within the third
month). Applicants have asserted Small Entity Status (copy
enclosed).

Applicants request a refund of \$510.00.

WEINMARTER, SCHULZ, &
GAGNEBIN & LEBOVITZ LLP
TEL (617) 542-2330

PAGE 2/5 * RCVD AT 5/16/2006 4:02:05 PM [Eastern Daylight Time] * SVR:USPTO-EFXXF-1/9 * DNIS:2736500 * CSID:6176950892 * DURATION (mm-ss):01-46

BEST AVAILABLE COPY

Application No.: 09/869,638
Filed: February 8, 2002
TC Art Unit: 2621
Confirmation No.: 5891

Kindly credit the amount (\$510.00) to our Patent and Trademark
Office Deposit Account No. 23-0804.

Respectfully submitted,

Tim Wilhelm Nattkemper, et al.

By: 

Charles L. Gagnebin III
Registration No. 25,467
Attorney for Applicant(s)

WEINGARTEN, SCHURGIN,
GAGNEBIN & LEBOVICI LLP

Ten Post Office Square
Boston, Massachusetts 02109
Telephone: (617) 542-2290
Telecopier: (617) 451-0313

CLG:mes/336197.1

- 2 -

WEINGARTEN, SCHURGIN,
GAGNEBIN & LEBOVICI LLP
TEL (617) 542-2290

(REV 1001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 36 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

HSS-021XX

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/869,638

INTERNATIONAL APPLICATION NO.
PCT/EP00/10833INTERNATIONAL FILING DATE
03 November 2000PRIORITY DATE CLAIMED
04 November 1999

TITLE OF INVENTION

METHOD FOR THE AUTOMATIC ANALYSIS OF MICROSCOPE IMAGES

APPLICANT(S) FOR DO/EO/US Tim Wilhelm Natkenper, Helge Ritter, Walter Schubert

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not transmitted by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(3)).
 - a. ☐ is attached hereto.
 - b. ☐ had been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
PETITION FOR EXTENSION OF TIME, check for \$720.00

Page 1 of 2

Express Mail Number

EV009948517US

U.S. APPLICATION NO. (if known, see 37 CFR 1.53) 09/869,638		INTERNATIONAL APPLICATION NO PCT/EP00/10833		ATTORNEY'S DOCKET NUMBER HSS-021XX	
---	--	---	--	--	--

<p>21. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1,040.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00</p> <p style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT = \$</p> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). \$ 130.00</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:20%;">RATE</th> <th style="width:20%;"></th> </tr> <tr> <td>Total claims</td> <td>- 20 =</td> <td></td> <td>X \$18.00</td> <td>\$ 0</td> </tr> <tr> <td>Independent claims</td> <td>- 3 =</td> <td></td> <td>X \$84.00</td> <td>\$ 0</td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$280.00</td> </tr> <tr> <td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$ 0</td> </tr> </table> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. \$ 65.00</p> <p style="text-align: right;">SUBTOTAL = \$ 65.00</p> <p>Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). \$</p> <p style="text-align: right;">TOTAL NATIONAL FEE = \$ 65.00</p> <p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property \$ 40.00</p> <p style="text-align: right;">TOTAL FEES ENCLOSED = \$105.00</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;"></td> <td style="width:20%;">Amount to be refunded:</td> <td style="width:20%;">\$</td> </tr> <tr> <td></td> <td>charged:</td> <td>\$</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		Total claims	- 20 =		X \$18.00	\$ 0	Independent claims	- 3 =		X \$84.00	\$ 0	MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$280.00	TOTAL OF ABOVE CALCULATIONS =				\$ 0		Amount to be refunded:	\$		charged:	\$	<p>CALCULATIONS PTO USE ONLY</p>
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																													
Total claims	- 20 =		X \$18.00	\$ 0																												
Independent claims	- 3 =		X \$84.00	\$ 0																												
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$280.00																												
TOTAL OF ABOVE CALCULATIONS =				\$ 0																												
	Amount to be refunded:	\$																														
	charged:	\$																														

a. ☒ A check in the amount of \$ 65.00 to cover the above fees is enclosed. A check in the amount of \$ \$40.00 is enclosed for the assignment recordation fee.

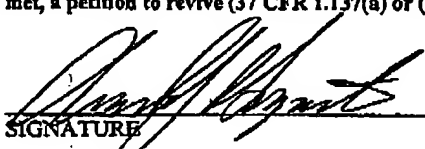
b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-0804. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Customer Number 207
 SEND ALL CORRESPONDENCE TO:

 Weingarten, Schurgin, Gagnebin & Lebovici LLP
 Ten Post Office Square
 Boston, Massachusetts 02109


 SIGNATURE

 NAME: Charles L. Gagnebin III
 REGISTRATION NUMBER: 25,467

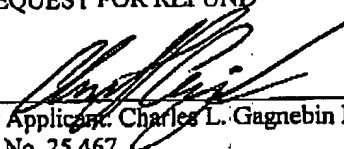
 Date: 2-8-12

WSGL WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI LLP*Intellectual Property Law*
Patents • Trademarks • CopyrightsTen Post Office Square
Boston, Massachusetts 02109
Tel. 617.542.2290 • Fax. 617.451.0313
www.wsglip.com**FACSIMILE COVER SHEET**DATE: May 16, 2006TO: RECEIPTS ACCOUNT DIVISIONFax No.
Dialed: 571 273 6500FROM: Charles L. Gagnebin IIINo. of pages transmitted
(including this page): 5Our File: HSS-021XXTime: 4-Application No. 09/869,638Sent by: Mary Ellen SheaGroup Art No. 2621Confirmation No. 5891

A confirmation copy of this transmission will not be mailed unless the following is checked: []

MESSAGE**PLEASE DELIVER TO RECEIPTS ACCOUNTING DIVISION**
Tel. No. 571-272-6500

Enclosed please find a REQUEST FOR REFUND



Attorney for Applicant, Charles L. Gagnebin III
Registration No. 25,467

105725.1

THIS MESSAGE MAY CONTAIN CONFIDENTIAL OR PRIVILEGED INFORMATION INTENDED ONLY FOR THE PERSON(S) IDENTIFIED ABOVE. IF IT HAS BEEN RECEIVED AT ANY OTHER PLACE OR HAS NOT BEEN CLEARLY RECEIVED, PLEASE CALL THE ABOVE IDENTIFIED SENDING PARTY COLLECT FOR INSTRUCTIONS. DO NOT SHOW OR DISTRIBUTE THIS MESSAGE TO ANYONE OTHER THAN THE INTENDED RECIPIENT(S). THANK YOU.

PLEASE CONFIRM RECEIPT OF THIS FAX PROMPTLY BY RETURN FAX.

United States Patent and Trademark Office
- Sales Receipt -

~~04/27/2006 AHOPKINS 00000004 230804 09869638~~

~~01 FC:1253 1020.00 DA~~

Adjustment date: 06/09/2006 SFELEKE1
~~04/27/2006 AHOPKINS 00000004 230804 09869638~~
~~01 FC:1253 1020.00 CR~~

06/09/2006 SFELEKE1 00000032 230804 09869638

01 FC:2253 510.00 DA

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ BLACK BORDERS
- ☐ IMAGE CUT OFF AT TOP, BOTTOM OR SIDES
- ☐ FADED TEXT OR DRAWING
- ☐ BLURRED OR ILLEGIBLE TEXT OR DRAWING
- ☐ SKEWED/SLANTED IMAGES
- ☐ COLOR OR BLACK AND WHITE PHOTOGRAPHS
- ☐ GRAY SCALE DOCUMENTS
- ☒ LINES OR MARKS ON ORIGINAL DOCUMENT
- ☐ REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY
- ☐ OTHER: _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.